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19 **NATIONAL RAILROAD PASSENGER**

20 **CORPORATION dba AMTRAK**

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DOUGLAS SINCLAIR, an individual,

Plaintiff,

v.

NATIONAL RAILROAD
PASSENGER CORPORATION d/b/a
AMTRAK, a corporation; and DOES 1-
20, inclusive,

Defendants.

CASE NO. 1:22-cv-00744-JLT-SKO

**JOINT STIPULATION AND
ORDER TO EXTEND DEADLINE
FOR DISPOSITIVE MOTIONS**

Honorable Judge Sheila K. Oberto

1 Plaintiff DOUGLAS SINCLAIR (“Plaintiff”) and Defendant NATIONAL
2 RAILROAD PASSENGER CORPORATION d/b/a AMTRAK (“Defendant”),
3 through their respective counsel of record, hereby stipulate pursuant to Rules 16 and
4 26 of the Federal Rules of Civil Procedure as follows:

5 **1. Good Cause to Extend Filing Deadline For Dispositive Motions**

6 The Parties come before the Court to seek (1) a 14-day extension of the
7 deadline for filing dispositive motions from October 20, 2023 to November 3, 2023
8 and (2) to continue the hearing date from November 27, 2023 to December 11,
9 2023. All other deadlines will not be affected with such extension. The Parties have
10 engaged in good faith efforts to further discovery in this matter and to resolve a
11 discovery dispute.

12 This Court had continued the previous deadline for filing a dispositive motion
13 to October 20, 2023, in response to the Parties’ Joint Stipulation to extend Rule
14 30(B)(6) Deposition. Dkt. 25. Defendant had served its final draft of the Joint
15 Statement of Undisputed Facts on October 17, 2023 to Plaintiff for purposes of
16 meeting and conferring with regards to Defendant’s Motion for Summary Judgment.
17 See Dkt. 15. However, the Parties require more time to meet and confer . Expert
18 discovery closed on October 6, 2023 and Defendant had to work under time
19 constraints and did its best to provide Plaintiff enough time to add his portions to the
20 Joint Statement before filing.

21 Because of these reasons, the Parties have agreed to extend the deadline to
22 allow time to resolve the dispute and allow Plaintiff to add his portions to the Joint
23 Statement of Undisputed Facts. As such, the Parties request that the Court for good
24 cause grant the Parties’ request for an extension of time to the filing of any
25 dispositive motions and associated hearings.

26 **2. Stipulation to Extend Dispositive Motion Deadlines**

27 The Parties stipulate that the original Joint Scheduling Order (ECF No. 15 and
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ECF No. 25) be amended to reflect the following new deadlines:

a. The filing deadline for dispositive motions is continued to November 3, 2023, and the hearing date is continued to December 11, 2023.

b. All remaining deadlines remain the same.

IT IS SO STIPULATED.

DATED: October 18, 2023

KIRSCHNER LAW, PC

By: /s/ Ethan D. Kirschner

Ethan D. Kirschner

Attorney for Plaintiff DOUGLAS
SINCLAIR

DATED: October 18, 2023

LITTLER MENDELSON, P.C.

By: /s/ Ryan L. Eddings

Ryan L. Eddings

Attorney for Defendant NATIONAL
RAILROAD PASSENGER
CORPORATION d/b/a AMTRAK

ORDER

For good cause shown, the stipulation to extend the dispositive motions deadline (Doc. 36) is hereby approved and the new deadlines as set forth in the Scheduling Orders (Docs. 15, 25) shall be amended as follows:

- a. The filing deadline for dispositive motions is continued to November 3, 2023, and the dispositive motion hearing date is continued to December 11, 2023.
- b. The parties requested all other deadlines remain unchanged. In accordance with District Judge Jennifer Thurston's scheduling practices and calendar, however, the pretrial conference date is continued to February 5, 2024, and the trial date is continued to April 23, 2024.

IT IS SO ORDERED.

Dated: October 19, 2023

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE